

Based upon Plaintiff's Motion in open court on August 31, 2015, during a break in the trial of this matter, Plaintiff's counsel served notice of his intent, pursuant to Rule 411, Fed.R.Evid., to question defense expert Jubal Hamernik, Ph.D., on his close relationship and pecuniary interest with State Farm, Defendant's insurer. Counsel indicated he had 2012 research indicating that Dr. Hamernik had testified for State Farm insureds in 19 of his 22 defense cases. Based upon this,

IT IS HEREBY ORDERED:

1. Plaintiff may inquire into Dr. Hamernik's relationship and pecuniary interest with State Farm, Defendant's insurer, to prove bias.
2. Counsel may not point out that Defense counsel is a captive State Farm law firm, or that Defense counsel are State Farm employees.

DATED this _____ day of September, 2015.

BY THE COURT

TED STEWART
U.S. District Court Judge